

August 22, 2008



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14754

EXPIRATION DATE: January 31, 2009
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1. GRANTEE: Sierra Chemical Company  
Sparks, NV
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the transportation in commerce of approximately 72,000 1-gallon polyethylene bottles that are transported under the provisions of DOT-SP 6614 except they have not been marked with the name or symbol of the bottle producer. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.3 and the provisions of DOT-SP 6614 paragraph 7.c. in that the 1-gallon polyethylene bottles must be marked with the name of the bottle producer, except as provided herein and § 172.301(c) in that the marking requirements are waived.

5. BASIS: This emergency special permit is based on the application of Sierra Chemical Company dated August 19, 2008, submitted in accordance with § 107.117 and a determination that it is necessary to significant economic loss.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Compounds, cleaning liquid (consisting of solutions containing potassium hydroxide, hydrochloric acid or phosphoric acid)	8	NA1760	II or III
Corrosive liquid, acidic, organic, n.o.s. (Glycolic acid)	8	UN3265	III
Corrosive liquid, basic, inorganic, n.o.s. (Sodium hydroxide)	8	UN3266	II
Corrosive liquid, basic, inorganic, n.o.s. (Potassium hydroxide)	8	UN3266	II
Hydrochloric acid (with not over 32% strength)	8	UN1789	II
Hypochlorite solutions	8	UN1791	III
Sulfuric acid (with not more than 51% acid)	8	UN2796	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings must meet all the requirements of DOT-SP 6614 except that the 1-gallon polyethylene bottles are not marked with the name of the bottle producer.

b. OPERATIONAL CONTROLS - Upon return of the empty bottles to the grantee, and prior to refilling, each bottle must be marked with the information required by DOT-SP 6614 paragraph 7.c. This marking requirement may be satisfied with a pressure sensitive label.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. MARKING - The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit and a current copy of DOT-SP 6614 must be carried aboard each motor vehicle.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

**August 22, 2008**

- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke  
Associate Administrator for Hazardous Materials Safety

**August 22, 2008**

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LAVALLE